

STATE OF CONNECTICUT

DEPARTMENT OF INFORMATION TECHNOLOGY

CONTRACTS & PURCHASING DIVISION

101 East River Drive, 4th Floor

EAST HARTFORD, CT 06108-3274

Purchasing Service Officer:

Rick Bihlmeyer

Telephone Number

(860) 662-2538

CONTRACT AWARD NO.:

RFP 001-A-23-7049

Contract Award Date:

September 6, 2001

Bid Opening Date:

May 21, 2001

SUPPLEMENT DATE:

January 31, 2002

CONTRACT AWARD SUPPLEMENT # 1

IMPORTANT: THIS IS NOT A PURCHASE ORDER. Do NOT PRODUCE OR SHIP WITHOUT AN AGENCY PURCHASE ORDER.

COMMODITY CLASS/SUBCLASS AND DESCRIPTION: 6000 – Optical Fiber

FOR: Department of Information Technology
101 East River Drive
East Hartford, CT 06108

TERM OF CONTRACT / DELIVERY DATE REQUIRED:

September 6, 2001 – Until Terminated

AGENCY REQUISITION NUMBER:

**CHANGE TO IN STATE (NON-SB)
CONTRACT VALUE**

**CHANGE TO DAS-CERTIFIED SMALL
BUSINESS CONTRACT VALUE**

**CHANGE TO OUT OF STATE
CONTRACT VALUE**

**CHANGE TO TOTAL CONTRACT
AWARD VALUE**

NOTICE TO CONTRACTORS: This notice of award is not an order to ship. Purchase Orders against contracts will be furnished by the using agency or agencies on whose behalf the contract is made.

INVOICE SHALL BE RENDERED DIRECT TO THE ORDERING AGENCY.

NOTE: Dollar amounts listed next to each contractor are possible award amounts, however, they do not reflect any expected purchase amounts (actual or implied). They are for CHRO use only.

NOTICE TO AGENCIES: A complete explanatory report shall be furnished promptly to the Director concerning items delivered and/or services rendered on orders placed against awards listed herein which are found not to comply with the specifications or which are otherwise unsatisfactory from the agency's viewpoint, as well as failure of the contractor to deliver within a reasonable period of time specified. Please issue orders and process invoices promptly.

CASH DISCOUNTS: Cash discounts, if any, shall be given SPECIAL ATTENTION, but such cash discount shall not be taken unless payment is made within the discount period.

PRICE BASIS: Unless otherwise noted, prices include delivery and transportation charges fully prepaid f.o.b. agency. No extra charge is to be made for packing or packages.

CONTRACTOR INFORMATION:

Company Name: **Fiber Technologies Networks, L.L.C.**

Address: **140 Allens Creek Road, Rochester, NY 14618**

Tel. No.: **(716) 697-5100**

Contact Person: **Michael C. Hurley**

SSN/FEIN No.: **16-1574613**

Contract Value: **\$ 2,900,420.00**

Certification Type (SBE, MBE, WBE or None): **None**

Terms: **Net 45 Days**

Agrees to Supply Political SubDivisions: **Yes**

Company E-mail Address and/or Company Web Site: **www.mhurley@fibertech.com**

SUPPLEMENT # 1

To clarify the Dark Fiber Installation, Leasing and Maintenance time period.

APPROVED _____

Director, Holly Miller-Sullivan

(Original Signature on Document in Procurement Files)

Date Issued: January 31, 2002

Fiber Technologies Networks, LLC

AWARD SCHEDULE

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**AWARD NO.:
RFP 001-A-23-7049**

DELIVERY:

TER MS:	CASH DISCOUNT: %
	Days

Payment terms are net 45 days. Any deviation may result in Bid /RFP rejection.

**SOCIAL SECURITY OR FEIN NUMBER:
16-1574613**

Bid /RFP prices shall include all transportation charges FOB state agency.

PRODUCT SCHEDULE #1

DARK FIBER INSTALLATION, LEASING AND MAINTENANCE (Master Lease Agreement B-00-021)

This product description allows the State or authorized users of the Master Agreement to procure the installation, operation and maintenance of Singlemode Fiber Optic cable between various locations in Connecticut for a period of twenty years. The service will be provided by allocating strands on the vendor's fiber optic cable backbone to the State (on-ring) and also by constructing custom cable extensions to requested facilities (laterals).

GENERAL COSTS FOR STANDARD PROPOSED SERVICES

1. **One Time cost for "On-Ring" fiber optic strands** will begin the provisioning of complete single-mode fiber paths between two points on Fibertech's dark fiber network ("Route Miles"). For each mile of each strand of fiber optic cable ("Fiber Mile") which the State leases, Fibertech will charge the State \$3,500. (If the State chooses to lease 2 strands in a given route mile segment of Fibertech's network, the cost would be \$7,000 for that mile.)
2. **Maintenance cost for "On-Ring" fiber optic cables** will be charged annually, beginning upon acceptance of the cable and continuing for up to 20 years. The maintenance cost will be \$300 per route mile per year. (By example, if the State leases a network segment of 2 miles with 12 strands in each mile segment, the maintenance cost would be 2 * \$300 = \$600 per year.)
3. **One Time Cost for new "Lateral Builds" of fiber cable** are custom extensions of Fibertech's core network for the exclusive use of authorized State users under this Master Lease Agreement. In all cases, the State will lease no less than 12 fiber-strands at \$3,500 per mile per strand. There are two categories of lateral builds:

Where the lateral cable is entirely aerial and has a total distance of less than 1000 feet, Fibertech will charge the State a ¼ mile minimum of the 12 strand lateral cable lease. At \$3,500 per strand per mile, this equates to \$10,500. (12 strand min @ \$3500 per strand per mile x .25 = \$10,500).

- a. In all cases where the lateral distance exceeds 1,000 feet, or where the cable is not aerial, Fibertech will charge the State a minimum of 1/2 mile at 12 strands, which equates to \$21,000 per build. (12 strand min @ \$3500 per .5 mile= \$21,000).
- b. For any lateral build, the \$300 per year maintenance cost will apply to each fiber strand, with a minimum 1 mile per lateral, (\$300 per fiber per mile per year which equates to \$3600 per year for the standard 12 fibers on any lateral less than 1 mile.)

Fiber Technologies Networks, LLC

AWARD SCHEDULE

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CASH DISCOUNT:

%

Days

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- c. If Fibertech sells any portion of a lateral build to another customer outside of the context of this Master Agreement, the minimum strand requirements for that portion of the fiber segment will no longer be considered “lateral” and will be considered “on-ring” from that point forward, thus reducing the maintenance fee from \$300 per fiber mile to \$300 per route mile. (Adjustments should be made every 6 months. If Fibertech sells the segment to another party prior to completion or delivery of the segment to the State, this clause will apply to the one-time cost as well.)
- d. In compliance with building codes, the lateral cable may be extended up to 50 feet inside any building after it exits an approved conduit. In instances where the cable can be terminated within 50 feet of the approved entry, these lateral costs shall include the cabling inside the building to the termination point.

4. COSTS FOR BUILDING ENTRY CONDUITS

- a. At locations where there are existing available and useable inner ducts from the pole-line or underground conduit structure into the requested building, Fibertech will charge \$8/foot for pulling and installing the cable from the public right of way onto the property. If a new innerduct has to be placed in available conduit, Fibertech will charge the State \$10/foot. This cost will be in addition to the standard lateral fees bringing the cable from the Fibertech backbone to the public right of way in front of the building location.
- b. At locations where Fibertech’s ring or lateral cable is aerial, Fibertech will charge the State a minimum of 300 feet at \$30/foot for a new aerial lateral cable to be provided into the building from the public right of way and \$25/foot for distances over 300 feet. This cost will be in addition to the standard lateral fees bringing the cable from the Fibertech backbone to the public right of way in front of the building location.
- c. At locations where a new underground-buried conduit into a building is required or if underground-buried conduit is required to complete a “lateral build”, Fibertech will construct a single 4” conduit from the public right of way to the building for \$150 per foot. A second 4” conduit may be added for future purposes for an additional \$15 per foot. This cost will be in addition to the standard lateral fees bringing the cable from the Fibertech backbone to the public right of way in front of the building location.

5. COSTS FOR INSIDE BUILDING FIBER EXTENSIONS

In instances where additional inside construction is required beyond a standard 50 foot approved demarcation point, Fibertech will construct the necessary fiber on an individual case basis for its cost plus 30%. (Cost Plus 30%)

Fiber Technologies networks, LLC

AWARD SCHEDULE

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6. LATE DELIVERY PENALTIES:

If Fibertech is more than 180 days late of the original network delivery date, as stated in the individual purchase order, Fibertech will provide the State of CT a 2% credit off those such segments which are not completed for each 30 day interval Fibertech is late on a prorated basis. The credit will appear as a discount off the final acceptance billing

7. MAINTENANCE FEE PAYMENTS

Fibertech will invoice the State for all Maintenance Fees upon fiber acceptance of any leased fibers by the State. During the first year, the fiber rate will be prorated based upon the number of days remaining until the end of the State's fiscal year (6-30) following acceptance. After that point, Fibertech shall invoice the State for the full annual Maintenance Fee for such leased fibers on the (1st) day of July of each successive year thereafter.

8. Delivery and Acceptance

For each route segment, Fibertech shall deliver to the State, at no additional charge, written notice of the delivery of the leased fiber segments, including written test results for each such route segment delivered to confirm that the route segment is within the specifications. The State shall have 15 days after notification of delivery to complete its own testing and confirm the results provided by Fibertech ("Acceptance Period")

Unless the State sends a written notice to Fibertech of its objection to acceptance within the Acceptance period, which states that the cable has failed to conform to the specifications, the State shall be deemed to have accepted the cable segment and Fibertech may invoice the State. If the State sends a notice of non-acceptance, Fibertech will restore or repair the cable and supply new test results to the State, at which time the acceptance period will be reinitiated.

9. OTHER REQUIREMENTS AND CONSIDERATIONS

The terms, conditions, and specifications of RFP **001-A-23-7049** shall also apply to all work completed under the Master Lease Agreement.